



**U.S. Department of Housing and Urban  
Development**  
451 Seventh Street, SW  
Washington, DC 20410  
[www.hud.gov](http://www.hud.gov)  
[espanol.hud.gov](http://espanol.hud.gov)

**Environmental Review for Activity/Project that is  
Categorically Excluded Subject to Section 58.5  
Pursuant to 24 CFR 58.35(a)**

**Project Information**

**Project Name:** Gonzales-Community-Center

**HEROS Number:** 900000010343638

**Responsible Entity (RE):** MONTEREY COUNTY, CA, 1441 Schilling Place - 2nd Floor South  
Salinas CA, 93901

**State / Local Identifier:**

**RE Preparer:** Dawn M Yonemitsu

**Certifying Officer:** Craig Spencer

**Grant Recipient (if different than Responsible Entity):** N/A

**PHA Code:**

**Point of Contact:**

**Consultant (if applicable):** EMC Planning Group

**Point of Contact:** Shoshana Lutz

**Project Location:** 5th Street and Gabilan Court, Gonzales, CA 93926

**Additional Location Information:**

The 3.7-acre project site is located on the south side of 5th Street, west of US Highway 101 and adjacent to Fairview Middle School. Gonzales High School is across the street from the project site. Residential housing borders the project site on the north and east. The project site is bisected by Gabilan Court, a dead-end, paved street accessed from 5th Street. All previous buildings on the site have been removed. Paved and gravel parking areas remain adjacent to 5th Street.

**Direct Comments to:** housingprograms@co.monterey.ca.us  
 1441 Schilling Place, 2nd floor South, Salinas, CA 93901

**Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:**

The 3.7-acre project site is located on 5th Street in the City of Gonzales. The project site is a vacant, infill parcel. The site was previously developed with housing, and is bisected by Gabilan Court. The proposed project includes development of a an approximately 23,000 square foot community center facility featuring an approximately 6,000 square foot County library (which replaces the existing County library at 851 5th Street), an approximately 4,000 square foot teen center, and an approximately 13,300 square foot community center building organized around a central courtyard and amphitheater for indoor/outdoor connections. The project also includes a free-standing 12,100 square foot gymnasium building with an indoor multi-court, restrooms, lobby, storage, and support space. The amphitheater would involve the use of amplified sound equipment for outdoor events and performances at night time, and may also involve the use of temporary outdoor lighting. The site plans include 117 parking stalls and landscaping. Site access would be via a single driveway on 5th Street. The project would employ four City employees (two full-time, two part-time). Construction schedule: Demolition, Grading and Utilities - August 2023 to September 2023 // Building Construction and Site Work: October 2023 to December 2024 Based on preliminary numbers from the draft Design Criteria: 4,400 cy of cut and 100 cy of fill.

**Maps, photographs, and other documentation of project location and description:**

**Level of Environmental Review Determination:**

**Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at 58.5:**

58.34(a)(12)

58.35(a)(5)

**Determination:**

✓	This categorically excluded activity/project converts to <b>EXEMPT</b> per Section 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license; <b>Funds may be committed and drawn down after certification of this part</b> for this (now) EXEMPT project; OR
	This categorically excluded activity/project cannot convert to Exempt status because one or more statutes or authorities listed at Section 58.5 requires formal consultation or mitigation. Complete consultation/mitigation protocol requirements, <b>publish NOI/RROF and obtain “Authority to Use Grant Funds”</b> (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR

	This project is not categorically excluded OR, if originally categorically excluded, is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).
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**Approval Documents:**

[Gonzales Comm Ctr ERR Signature - Signed.pdf](#)

[Excluded Signature page.pdf](#)

[FONSI-NOIRRF - all 3 Newspapers.pdf](#)

**7015.15 certified by Certifying Officer on:** 7/12/2023

**7015.16 certified by Authorizing Officer on:**

**Funding Information**

Grant / Project Identification Number	HUD Program	Program Name
B-22-UC-06-0011	Other	CDBG

**Estimated Total HUD Funded, Assisted or Insured Amount:** \$704,857.00

**This project anticipates the use of funds or assistance from another federal agency in addition to HUD in the form of:**

**Estimated Total Project Cost:** \$34,800,000.00

**Compliance with 24 CFR §50.4, §58.5 and §58.6 Laws and Authorities**

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.6</b>		
<b>Airport Hazards</b> Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in

		compliance with Airport Hazards requirements. The project site is located over 13 miles southeast of the nearest municipal airport (Salinas Municipal Airport).
<b>Coastal Barrier Resources Act</b> Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Coastal Barrier units are found along the Atlantic, Gulf of Mexico, Great Lakes, Puerto Rico, and U.S. Virgin Island coasts; this project is located in a state that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.
<b>Flood Insurance</b> Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description, the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with Flood Insurance requirements. The property is located in Zone X as indicated on FEMA's panel 06053C0414G, effective 4/2/09.
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.5</b>		
<b>Air Quality</b> Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act. Based on the project's CalEEMod results, the project would generate construction and operational emissions at levels that are far below the air district threshold.
<b>Coastal Zone Management Act</b> Coastal Zone Management Act, sections 307(c) & (d)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not located in and does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act. Verified the project site is not in the Coastal Zone on March 9, 2022, through the California Coastal Commission Coastal Zone

		Boundary Mapping widget ( <a href="https://www.coastal.ca.gov/maps/czb/">https://www.coastal.ca.gov/maps/czb/</a> ).
<b>Contamination and Toxic Substances</b> 24 CFR 50.3(i) & 58.5(i)(2)]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Site contamination was evaluated by way of the Phase I and II ESA (prepared in 2012 and 2013, respectively). On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements. The EnviroStor ( <a href="https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=">https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=</a> ) website was accessed on March 8, 2022. This site indicates that there are no contamination and toxic substances in the project site. The nearest cleanup site to the project site is over 0.3 miles northeast, but this case has been closed since 1992. Over 0.4 miles west of the project site is an open cleanup status field point, remediation as of February 2008.
<b>Endangered Species Act</b> Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project will have No Effect on listed species because there are no listed species or designated critical habitats in the area. A biological survey has been prepared for the project and concluded that the project site did not contain habitat for endangered, rare, or threatened plant and wildlife species. This project is in compliance with the Endangered Species Act. The U.S. Fish and Wildlife Species List identified eight (8) endangered species that may be affected by activities at the project site. The Species List was generated through <a href="https://ecos.fws.gov/ipac/">https://ecos.fws.gov/ipac/</a> (accessed 3/8/22). However, the U.S. Fish and Wildlife Critical Habitat map indicates no critical habitat on or near the project site (downloaded from <a href="https://fws.maps.arcgis.com/home/web">https://fws.maps.arcgis.com/home/web</a>

		map/viewer.html?webmap=9d8de5e265ad4fe09893cf75b8dbfb77 on 3/8/22)
<b>Explosive and Flammable Hazards</b> Above-Ground Tanks)[24 CFR Part 51 Subpart C	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description, the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.
<b>Farmlands Protection</b> Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not include any activities that could potentially convert agricultural land to a non-agricultural use because the site is not in agricultural use or zoned for agricultural activities. The project is in compliance with the Farmland Protection Policy Act. Site soils are in Map Unit Symbols PnA (Not Prime Farmland); sources are Monterey County's Parcel Report Web App ( <a href="https://maps.co.monterey.ca.us/wab/parcelreportwebapp/">https://maps.co.monterey.ca.us/wab/parcelreportwebapp/</a> ) and the Soil Survey for Monterey County ( <a href="https://www.nrcs.usda.gov/Internet/FS_E_MANUSCRIPTS/california/CA053/0/monterey.pdf">https://www.nrcs.usda.gov/Internet/FS_E_MANUSCRIPTS/california/CA053/0/monterey.pdf</a> )
<b>Floodplain Management</b> Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not occur in a floodplain. The project is in compliance with Executive Order 11988. The presence, or lack of, floodplains in the project area was verified through the FEMA Flood Map Service Center ( <a href="https://msc.fema.gov/portal/search">https://msc.fema.gov/portal/search</a> ) on 3/8/22. The project site is found on panel 06053C0414G, effective 4/2/09 and is in an Area of Minimal Flood Hazard, Zone X).
<b>Historic Preservation</b> National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description the project has No Potential to Cause Effects. The project is in compliance with Section 106.
<b>Noise Abatement and Control</b> Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	A noise analysis was prepared for the project and determined that the project would not result in construction or operational noise levels that exceed the City of Gonzales' noise standards. The project is in compliance with HUD's

		Noise regulation.
<b>Sole Source Aquifers</b> Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements. The closest Sole Source Aquifer is the Fresno Stream Source Zone located over 70 miles to the northeast.
<b>Wetlands Protection</b> Executive Order 11990, particularly sections 2 and 5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990. The closest emergent wetland is approximately 0.16 miles southwest of the project and will not be impacted by the project. Proximity to wetlands was verified through the US Fish and Wildlife Service, National Wetlands Inventory ( <a href="https://www.fws.gov/wetlands/data/Mapper.html">https://www.fws.gov/wetlands/data/Mapper.html</a> ) accessed 3/8/22.
<b>Wild and Scenic Rivers Act</b> Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. The nearest designated river is the Big Sur River. The Big Sur River and its watershed are on the western flanks of the Santa Lucia Mountain range, over 20 miles west of the project location.
<b>HUD HOUSING ENVIRONMENTAL STANDARDS</b>		
<b>ENVIRONMENTAL JUSTICE</b>		
<b>Environmental Justice</b> Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Refer to the attachment titled "Full Length Compliance Determination" for the entire write-up of this compliance determination (due to its length, I could not successfully include it in this box). Conclusion Statement: The project is in compliance with Executive Order 12898 as there is no high and adverse effect present as a result of the project. The EPA's EJSCREEN was used on March 10, 2022 from <a href="https://ejscreen.epa.gov/mapper/">https://ejscreen.epa.gov/mapper/</a>

**Mitigation Measures and Conditions [40 CFR 1505.2(c)]:**

Summarized below are all mitigation measures adopted by the Responsible Entity to reduce, avoid or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

<b>Law, Authority, or Factor</b>	<b>Mitigation Measure or Condition</b>	<b>Comments on Completed Measures</b>	<b>Mitigation Plan</b>	<b>Complete</b>
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**Project Mitigation Plan**

**Supporting documentation on completed measures**



## APPENDIX A: Related Federal Laws and Authorities

### Airport Hazards

General policy	Legislation	Regulation
It is HUD's policy to apply standards to prevent incompatible development around civil airports and military airfields.		24 CFR Part 51 Subpart D

1. To ensure compatible land use development, you must determine your site's proximity to civil and military airports. Is your project within 15,000 feet of a military airport or 2,500 feet of a civilian airport?

✓ No

Based on the response, the review is in compliance with this section. Document and upload the map showing that the site is not within the applicable distances to a military or civilian airport below

Yes

### Screen Summary

#### Compliance Determination

The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. The project site is located over 13 miles southeast of the nearest municipal airport (Salinas Municipal Airport).

#### Supporting documentation

[Salinas Airport to Project Site Distance.PNG](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

## Coastal Barrier Resources

General requirements	Legislation	Regulation
HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS.	Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)	

**This project is located in a state that does not contain CBRA units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.**

### Screen Summary

#### **Compliance Determination**

Coastal Barrier units are found along the Atlantic, Gulf of Mexico, Great Lakes, Puerto Rico, and U.S. Virgin Island coasts; this project is located in a state that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.

#### **Supporting documentation**

#### **Are formal compliance steps or mitigation required?**

Yes

✓ No

## Flood Insurance

General requirements	Legislation	Regulation
Certain types of federal financial assistance may not be used in floodplains unless the community participates in National Flood Insurance Program and flood insurance is both obtained and maintained.	Flood Disaster Protection Act of 1973 as amended (42 USC 4001-4128)	24 CFR 50.4(b)(1) and 24 CFR 58.6(a) and (b); 24 CFR 55.1(b).

**1. Does this project involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property?**

- ✓ No. This project does not require flood insurance or is excepted from flood insurance.

Based on the response, the review is in compliance with this section.

Yes

**4. While flood insurance is not mandatory for this project, HUD strongly recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). Will flood insurance be required as a mitigation measure or condition?**

Yes

- ✓ No

### Screen Summary

#### Compliance Determination

Based on the project description, the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with Flood Insurance requirements. The property is located in Zone X as indicated on FEMA's panel 06053C0414G, effective 4/2/09.

#### Supporting documentation

[FIRMETTE panel.pdf](#)

#### Are formal compliance steps or mitigation required?

Yes

- ✓ No



## Air Quality

General requirements	Legislation	Regulation
The Clean Air Act is administered by the U.S. Environmental Protection Agency (EPA), which sets national standards on ambient pollutants. In addition, the Clean Air Act is administered by States, which must develop State Implementation Plans (SIPs) to regulate their state air quality. Projects funded by HUD must demonstrate that they conform to the appropriate SIP.	Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d))	40 CFR Parts 6, 51 and 93

**1. Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?**

Yes

✓ No

Based on the response, the review is in compliance with this section.

### **Screen Summary**

#### **Compliance Determination**

Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act. Based on the project's CalEEMod results, the project would generate construction and operational emissions at levels that are far below the air district threshold.

#### **Supporting documentation**

[App E\\_1\\_CalEEMod Memorandum Gonzales Community Center\\_031522.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Coastal Zone Management Act

General requirements	Legislation	Regulation
Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans.	Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d))	15 CFR Part 930

**1. Is the project located in, or does it affect, a Coastal Zone as defined in your state Coastal Management Plan?**

Yes

No

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

### **Screen Summary**

#### **Compliance Determination**

This project is not located in and does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act. Verified the project site is not in the Coastal Zone on March 9, 2022, through the California Coastal Commission Coastal Zone Boundary Mapping widget (<https://www.coastal.ca.gov/maps/czb/>).

#### **Supporting documentation**

[Gonzales Project Coastal Zone Mgmt.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

No

## Contamination and Toxic Substances

General requirements	Legislation	Regulations
It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property.		24 CFR 58.5(i)(2) 24 CFR 50.3(i)

**1. How was site contamination evaluated? Select all that apply. Document and upload documentation and reports and evaluation explanation of site contamination below.**

- American Society for Testing and Materials (ASTM) Phase I Environmental Site Assessment (ESA)
- ASTM Phase II ESA
  - Remediation or clean-up plan
  - ASTM Vapor Encroachment Screening
  - None of the Above

**2. Were any on-site or nearby toxic, hazardous, or radioactive substances found that could affect the health and safety of project occupants or conflict with the intended use of the property? (Were any recognized environmental conditions or RECs identified in a Phase I ESA and confirmed in a Phase II ESA?)**

- No

**Explain:**

The Phase I ESA (dated July 2012) concluded that although it is likely that the project site was used for agricultural purposes prior to the development of residential buildings in the 1950s, that was over 50 years ago and the potential for historical agricultural land use is considered a de minimis condition. The Phase II ESA (dated April 2013) concluded that asbestos was not detected above laboratory detection limits and lead did not exceed its total threshold limit concentration; therefore, the soil analyzed was not considered hazardous waste.

Based on the response, the review is in compliance with this section.

Yes

**Screen Summary****Compliance Determination**

Site contamination was evaluated by way of the Phase I and II ESA (prepared in 2012 and 2013, respectively). On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements. The EnviroStor (<https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=>) website was accessed on March 8, 2022. This site indicates that there are no contamination and toxic substances in the project site. The nearest cleanup site to the project site is over 0.3 miles northeast, but this case has been closed since 1992. Over 0.4 miles west of the project site is an open cleanup status field point, remediation as of February 2008.

**Supporting documentation**

[Phase II ESA April 2013.pdf](#)

[Phase I ESA July 2012.pdf](#)

[Envirostor image.PNG](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No



**Endangered Species**

General requirements	ESA Legislation	Regulations
Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service (“FWS” and “NMFS” or “the Services”).	The Endangered Species Act of 1973 (16 U.S.C. 1531 <i>et seq.</i> ); particularly section 7 (16 USC 1536).	50 CFR Part 402

**1. Does the project involve any activities that have the potential to affect species or habitats?**

✓ No, the project will have No Effect due to the nature of the activities involved in the project.

This selection is only appropriate if none of the activities involved in the project have potential to affect species or habitats. Examples of actions without potential to affect listed species may include: purchasing existing buildings, completing interior renovations to existing buildings, and replacing exterior paint or siding on existing buildings.

Based on the response, the review is in compliance with this section.

No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office

Yes, the activities involved in the project have the potential to affect species and/or habitats.

**Screen Summary**

**Compliance Determination**

This project will have No Effect on listed species because there are no listed species or designated critical habitats in the area. A biological survey has been prepared for the project and concluded that the project site did not contain habitat for endangered, rare, or threatened plant and wildlife species. This project is in compliance with the Endangered Species Act. The U.S. Fish and Wildlife Species List identified eight (8) endangered species that may be affected by activities at the project site. The Species List was generated through <https://ecos.fws.gov/ipac/> (accessed 3/8/22). However, the U.S. Fish and Wildlife Critical Habitat map indicates no critical habitat on or near the project site (downloaded from <https://fws.maps.arcgis.com/home/webmap/viewer.html?webmap=9d8de5e265ad4fe09893cf7>

5b8dbfb77 on 3/8/22)

**Supporting documentation**

[Gonzales Community Center Bio Resources with Figures\\_031522.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Explosive and Flammable Hazards

General requirements	Legislation	Regulation
HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.	N/A	24 CFR Part 51 Subpart C

**1. Is the proposed HUD-assisted project itself the development of a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?**

No

Yes

**2. Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?**

No

Based on the response, the review is in compliance with this section.

Yes

### Screen Summary

#### **Compliance Determination**

Based on the project description, the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.

#### **Supporting documentation**

**Are formal compliance steps or mitigation required?**

Yes

No

## Farmlands Protection

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	<a href="#">7 CFR Part 658</a>

**1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?**

Yes

✓ No

If your project includes new construction, acquisition of undeveloped land or conversion, explain how you determined that agricultural land would not be converted:

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

### **Screen Summary**

#### **Compliance Determination**

This project does not include any activities that could potentially convert agricultural land to a non-agricultural use because the site is not in agricultural use or zoned for agricultural activities. The project is in compliance with the Farmland Protection Policy Act. Site soils are in Map Unit Symbols PnA (Not Prime Farmland); sources are Monterey County's Parcel Report Web App (<https://maps.co.monterey.ca.us/wab/parcelreportwebapp/>) and the Soil Survey for Monterey County ([https://www.nrcs.usda.gov/Internet/FSE\\_MANUSCRIPTS/california/CA053/0/monterey.pdf](https://www.nrcs.usda.gov/Internet/FSE_MANUSCRIPTS/california/CA053/0/monterey.pdf))

#### **Supporting documentation**

[PnA Soil.PNG](#)  
[monterey county soil survey.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Floodplain Management

General Requirements	Legislation	Regulation
Executive Order 11988, Floodplain Management, requires federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.	Executive Order 11988	24 CFR 55

**1. Do any of the following exemptions apply? Select the applicable citation? [only one selection possible]**

- 55.12(c)(3)
- 55.12(c)(4)
- 55.12(c)(5)
- 55.12(c)(6)
- 55.12(c)(7)
- 55.12(c)(8)
- 55.12(c)(9)
- 55.12(c)(10)
- 55.12(c)(11)
- None of the above

**2. Upload a FEMA/FIRM map showing the site here:**

The Federal Emergency Management Agency (FEMA) designates floodplains. The FEMA Map Service Center provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use **the best available information** to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site.

**Does your project occur in a floodplain?**

- No

Based on the response, the review is in compliance with this section.

Yes

### Screen Summary

**Compliance Determination**

This project does not occur in a floodplain. The project is in compliance with Executive Order 11988. The presence, or lack of, floodplains in the project area was verified through the FEMA Flood Map Service Center (<https://msc.fema.gov/portal/search>) on 3/8/22. The project site is found on panel 06053C0414G, effective 4/2/09 and is in an Area of Minimal Flood Hazard, Zone X).

**Supporting documentation**

[FIRMETTE panel\(1\).pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

**Historic Preservation**

General requirements	Legislation	Regulation
Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	36 CFR 800 “Protection of Historic Properties” <a href="https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf">https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf</a>

**Threshold**

**Is Section 106 review required for your project?**

- No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA ). (See the PA Database to find applicable PAs.)
- ✓ No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].
- Yes, because the project includes activities with potential to cause effects (direct or indirect).

**Threshold (b). Document and upload the memo or explanation/justification of the other determination below:**

The project site has no historic resources onsite so no historic properties would be affected.

Based on the response, the review is in compliance with this section.

**Screen Summary**

**Compliance Determination**

Based on the project description the project has No Potential to Cause Effects. The project is in compliance with Section 106.

**Supporting documentation**

[Gonzales Comm Center Cultural Resources Rpt\\_031522.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No



## Noise Abatement and Control

General requirements	Legislation	Regulation
HUD's noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.	Noise Control Act of 1972  General Services Administration Federal Management Circular 75-2: "Compatible Land Uses at Federal Airfields"	Title 24 CFR 51 Subpart B

**1. What activities does your project involve? Check all that apply:**

New construction for residential use

Rehabilitation of an existing residential property

A research demonstration project which does not result in new construction or reconstruction

An interstate land sales registration

Any timely emergency assistance under disaster assistance provision or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster

None of the above

### **Screen Summary**

#### **Compliance Determination**

A noise analysis was prepared for the project and determined that the project would not result in construction or operational noise levels that exceed the City of Gonzales' noise standards. The project is in compliance with HUD's Noise regulation.

#### **Supporting documentation**

[22-17 \(Gonzales Community Center\) 3-15-22.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Sole Source Aquifers

General requirements	Legislation	Regulation
<b>The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.</b>	Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)	40 CFR Part 149

**1. Does the project consist solely of acquisition, leasing, or rehabilitation of an existing building(s)?**

Yes

No

**2. Is the project located on a sole source aquifer (SSA)?**

A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

No

Based on the response, the review is in compliance with this section. Document and upload documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area, below.

Yes

**3. Does your region have a memorandum of understanding (MOU) or other working agreement with Environmental Protection Agency (EPA) for HUD projects impacting a sole source aquifer?**

Yes

No

**Screen Summary****Compliance Determination**

The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements. The closest Sole Source Aquifer is the Fresno Stream Source Zone located over 70 miles to the northeast.

**Supporting documentation**

[Sole Source Aquifer.PNG](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Wetlands Protection

General requirements	Legislation	Regulation
Executive Order 11990 discourages direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service's National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed. Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed.	Executive Order 11990	24 CFR 55.20 can be used for general guidance regarding the 8 Step Process.

**1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance? The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order**

No

✓ Yes

**2. Will the new construction or other ground disturbance impact an on- or off-site wetland? The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds.**

**"Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands."**

✓ No, a wetland will not be impacted in terms of E.O. 11990's definition of new construction.

Based on the response, the review is in compliance with this section. Document and upload a map or any other relevant documentation below which explains your determination

Yes, there is a wetland that be impacted in terms of E.O. 11990's definition of new construction.

**Screen Summary****Compliance Determination**

The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990. The closest emergent wetland is approximately 0.16 miles southwest of the project and will not be impacted by the project. Proximity to wetlands was verified through the US Fish and Wildlife Service, National Wetlands Inventory (<https://www.fws.gov/wetlands/data/Mapper.html>) accessed 3/8/22.

**Supporting documentation**

[Gonzales Community Center Bio Resources with Figures\\_031522\(1\).pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Wild and Scenic Rivers Act

General requirements	Legislation	Regulation
The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction or development.	The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c))	36 CFR Part 297

### 1. Is your project within proximity of a NWSRS river?

No

Yes, the project is in proximity of a Designated Wild and Scenic River or Study Wild and Scenic River.

Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.

### **Screen Summary**

#### **Compliance Determination**

This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. The nearest designated river is the Big Sur River. The Big Sur River and its watershed are on the western flanks of the Santa Lucia Mountain range, over 20 miles west of the project location.

#### **Supporting documentation**

[Big Sur River.PNG](#)

#### **Are formal compliance steps or mitigation required?**

Yes

No

## Environmental Justice

General requirements	Legislation	Regulation
Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project.	Executive Order 12898	

**HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.**

**1. Were any adverse environmental impacts identified in any other compliance review portion of this project's total environmental review?**

Yes

✓ No

Based on the response, the review is in compliance with this section.

### Screen Summary

#### **Compliance Determination**

Refer to the attachment titled "Full Length Compliance Determination" for the entire write-up of this compliance determination (due to its length, I could not successfully include it in this box).

Conclusion Statement: The project is in compliance with Executive Order 12898 as there is no high and adverse effect present as a result of the project. The EPA's EJSCREEN was used on March 10, 2022 from <https://ejscreen.epa.gov/mapper/>

#### **Supporting documentation**

[Full Length Compliance Determination.docm](#)

[ejscreen\\_report.pdf](#)

[EJscreen report image.PNG](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No



